

REMARKS/ARGUMENTS

This amendment is filed in response to the Official Action mailed June 6, 2005, the shortened statutory period for filing a response expiring on September 6, 2005. Applicant submits herewith a three-month extension petition to reset the deadline for responding to the Official Action to and including December 6, 2005. Applicant also submits a Request for Continued Examination (RCE). In view of the following amendments and remarks, allowance of all pending claims is respectfully requested.

Claims 1-18 and 25-30 are presently pending in the application. These claims are the same claims which were the subject of the Official Action of June 6, 2005.

In the Official Action of June 6, 2005, Examiner Walsh generally indicated that the independent claims of the application recite magnetic switches or magnetically movable reading devices/sensors. The Examiner further contends that only magnetic sensors were disclosed in the specification, and magnetic switches or magnetically movable reading devices/sensors constitute new matter. Therefore, each of the claims then pending in the application were rejected under 35 U.S.C. § 112, first paragraph, as failing to comply with the written description requirement.

The Examiner's attention is directed to paragraphs [0045] and [0046] of the present specification, which state the following:

[0045] With reference to Figures 4A-4C, therein are shown magnetic signatures that may be implemented in a preferred embodiment of the present invention. In one embodiment of the present invention, as shown in Figure 4a, the array of magnetic signatures 24, which are attached to at least some of pages 20 of a book 18, may include magnets with polarization (e.g., N and S) on both ends of each magnet. If the magnetic signature 24 with polarizations on

either end of the magnet is utilized, the magnetic signature sensor 26 comprising one or more individualized reading elements 28 must correspond accordingly.

[0046] Other variations of magnetic signatures 24, which may be implemented in a preferred embodiment of a present invention, may include magnetic signatures 24 that have polarization on the top and bottom surfaces of the magnetic signature 24 and/or magnetic signatures 24 with polarization on either side of the magnetic signature 24. Again, regardless of the array of magnetic signatures 24, which are utilized in the system 10, the magnetic signature sensor 26 must be able to detect the corresponding magnetic signature 24 via the reading elements 28.

The Examiner is also invited to review Figures 4A-4C in conjunction therewith. It will be appreciated that element 28, as shown in Fig. 4A-4C, is an individualized reading element of a magnetic signature sensor 26. As shown, the individualized reading element 28 in the form of is a reed switch. In general, a reed switch is an electric switch having a pair of ferrous metal contacts sealed within a glass container. A magnetic field moved into proximity with the sealed container will cause the contacts to pull together to complete an electric circuit.

In this regard, a reed switch is properly construed as a magnetic switch or a magnetically movable reading device/sensor, as presently claimed. Thus, the claims as presently constituted include written description support in the specification, and the 35 U.S.C. § 112, first paragraph, rejection, should therefore be withdrawn.

In order to satisfy the written description requirement, one must show that the description allows persons of ordinary skill in the art to recognize that the inventor invented what was claimed, as of the filing date sought. See *In re Gosteli*, 872 F.2d 1008, 1012, 10 U.S.P.Q.2d 1617, 1618 (Fed. Cir. 1989). Therefore, so long as the specification conveys with reasonable

clarity to those skilled in the art that, as of the filing date sought, that Applicant was in possession of the invention now claimed, the written description requirement is satisfied. See *Vas-Cath, Inc. v. Mahurkar*, 935 F.2d 1555, 1563-64, 19 U.S.P.Q.2d 1111, 1117 (Fed. Cir. 1991).

An Applicant may show possession of the claimed invention by describing the invention with words, structures, *figures*, diagrams, or formulas that set forth the claimed invention. See *Lockwood v. Am. Airlines, Inc.*, 107 F.3d 1565, 1572, 41 U.S.P.Q.2d 1961, 1966 (Fed. Cir. 1997) (*emphasis added*). Accordingly, it is respectfully submitted that the disclosure in FIGS. 4A-4C is sufficient to show that the Applicant possessed an invention incorporating magnetic switches or magnetically removable reading devices/sensors as of the filing date of the present application.

In view of the above, each of the presently pending claims in this application is believed to be in immediate condition for allowance. Accordingly, the Examiner is respectfully requested to withdraw the outstanding rejection of the claims and to pass this application to issue.

If, however, for any reason the Examiner does not believe that such action can be taken at this time, it is respectfully requested that he telephone Applicant's attorney at (908) 654-5000 in order to overcome any additional objections which he might have.


Application No.: 10/807,805

Docket No.: PUBINT 3.0-015 CON II

If there are any additional charges in connection with this requested amendment, the Examiner is authorized to charge Deposit Account No. 12-1095 therefor.

Dated: December 6, 2005

Respectfully submitted,

By 
John R. Nelson
Registration No.: 26,573
LERNER, DAVID, LITTENBERG,
KRUMHOLZ & MENTLIK, LLP
600 South Avenue West
Westfield, New Jersey 07090
(908) 654-5000
Attorney for Applicant

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